

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

THE ESTATE OF MABLE DEAN BRADLEY

VS.

CIVIL ACTION NO. 4:08CV15-WAP-DAS

ROYAL SURPLUS LINES INSURANCE COMPANY, INC.
and LUMBERMEN'S MUTUAL CASUAL COMPANY

ORDER

This matter is before the court on motion of the plaintiff to compel discovery responses (# 70). With its motion, the plaintiff details the efforts made attempting to cause the defendant, Lumbermen's Mutual Casual Company, to respond to discovery requests. In its response, however, Lumbermen's explains its delinquency resulted from new information and issues arising during the course of discovery that forced it to reevaluate documents, etc. Lumbermen's has now responded to the requests, and because the court finds good cause for Lumbermen's delay and because Lumbermen's has now responded, the motion to compel is not well taken. It follows also that because the motion to compel will be denied, Lumbermen's objections will not be deemed waived.

IT IS THEREFORE ORDERED that the plaintiff's motion to compel (# 70) is hereby DENIED.

SO ORDERED, this the 4th day of March 2009.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE